

UNITED STATES DISTRICT COURT
DISTRICT OF NORTH DAKOTA
FARGO DIVISION

SW Design Build, Inc,)	
)	Civil No.:
Plaintiff,)	
)	
vs.)	
)	
Auto-Owners Insurance,)	
)	
Defendant)	

NOTICE OF REMOVAL

TO: THE CLERK OF THE ABOVE COURT, PLAINTIFF, AND THEIR COUNSEL OF RECORD, STEVEN F. LAMB, VOGEL LAW FIRM, FARGO, NORTH DAKOTA:

Notice is hereby given pursuant to Title 28, U.S.C., § 1446, that the Defendant, Auto-Owners Insurance Company, hereby removes this action from the State District Court of Cass County, North Dakota, to the United States District Court, District of North Dakota, Fargo Division. The grounds for removal are as follows:

1. That Auto-Owners Insurance Company is a defendant in a civil action brought against it in the State District Court, State of North Dakota, County of Cass. A copy of the Summons and Complaint with its attached Exhibit "A" that was served upon defendant in this action are filed in connection herewith.
2. That this action was commenced against Auto-Owners Insurance Company on April 5, 2016, by service of the Summons and Complaint upon the North Dakota Commissioner of Insurance per the attached Admission of Service.
3. That the controversy between the plaintiff and the defendant is a controversy between a citizen of the State of North Dakota, on the one hand, and a citizen of the State of Michigan on the other. At the time of the service of the Summons and Complaint upon the defendant, the defendant was, and now is, a corporation duly organized and existing under and by virtue of the laws of the State of Michigan, with its principal place of business in Lansing, Michigan. The plaintiff

was and is a citizen of the State of North Dakota and, therefore, there exists at this time, a complete diversity of citizenship between the parties hereto.

4. That upon information and belief the amount in controversy between the parties exceeds the sum of \$75,000.00, exclusive of interest and costs, by virtue of the allegations in plaintiff's complaint and the plaintiff's demands in this case.
5. That this is a civil action brought in the State Court of North Dakota of which the United States Courts would have original jurisdiction because of diversity of the citizenship and amount in controversy.

WHEREFORE, the defendant prays that this case proceed in this Court as an action properly removed thereto.

DATED this 19 day of April, 2016.

/s/ Michael J. Morley

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